

REMARKS/ARGUMENTS

Reconsideration of the application as amended is respectfully requested.

Applicants have amended the specification to correct typographical and grammatical errors. No new matter has been added by virtue of the amendments to the specification.

Claims 29-36, 40-42, and 46-47 have been canceled. Claims 21-23, 28, 37-39, and 43-45 have been amended to more particularly point out and distinctly claim the invention as embodied therein. Support for amended claims is found throughout the application and in the claims as filed. Specifically, support for the recitation of "transgene" can be found in Examples 7-9, and support for the recitation of "true breeding" can be found in paragraphs [0015] at page 4 and [0032] at page 7. No new matter has been added by virtue of the amendments to the claims.

Rejections under 35 USC §112, first paragraph.

Claims 21-43 and 46-47 stand rejected under 35 U.S.C. §112, first paragraph, as not being described in such a way as to convey to one skilled in the art that the inventors had possession of the invention as claimed. This rejection is believed to be obviated by the amendments to the claims, and its withdrawal is respectfully requested.

Claims 21-43 and 46-47 stand rejected under 35 USC §112, first paragraph, as not being enabling the person skilled in the art to make and/or use the invention. This rejection is believed to be obviated by the amendments to the claims, and its withdrawal is respectfully requested.

Allowable Subject Matter

Claims 44-45 are objected to as being dependent upon a rejected base claim. This rejection is believed to be obviated by the amendments to claims 43-45.

In light of the amendments and arguments presented herein, Applicants submit that all the rejections contained in the Final Office Action dated August 18, 2006 have been overcome and that the application is in condition for allowance or appeal. Should the Examiner wish to discuss the application further, she is invited to telephone the undersigned. If any additional fees are due with respect to this submission, authorization is hereby given to charge such fees, or to credit any overpayment, to Deposit Account No. 02-1197.

Respectfully submitted,

BASF CORPORATION

A handwritten signature in black ink, appearing to read 'Ruoying Chen', is written over the printed name.

Ruoying Chen

Reg.No. 56,516

919/547-2230
Customer No. 29137
Dated: November 15, 2006